



DEPARTMENT OF ENVIRONMENTAL QUALITY
POLICY AND PROCEDURE

SUBJECT: ACCIDENT, INJURY, ILLNESS AND
NEAR-MISS REPORTING

Number: 07- 03.14

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Date: February 25, 2004

Revised: January 12, 2007

AUTHORITY:

1. Occupational Safety and Health Administration (OSHA) Standards 29 CFR PART 1904 Recording and Reporting Occupational Injuries and Illness.
2. Michigan Occupational Safety and Health Administration (MIOSHA) Standard Part 11. Recording and Reporting of Occupational Injuries and Illnesses.
3. Michigan Workers' Disability Compensation Act of 1969 Act 317 of 1969, and
4. Department of Management and Budget (DMB) Safety and Health Policies and Procedures Part 6. Accident Reporting & Investigation.

<< STATEMENT OF POLICY >>

All Department employees, with the exception to those designated as being independent contractors, are covered by Workers' Compensation. As per the State of Michigan's Workers' Disability Compensation Act of 1969, an employee who receives either a compensable or non-compensable injury is entitled to reasonable medical and hospital care.

The Department of Environmental Quality (DEQ) is committed to providing a safe and healthful work environment for all employees, visitors, and volunteers. To ensure that all employees receive timely and standardized care, a notification and reporting system has been developed.

The State of Michigan contracts with a third-party administrator to process all duty-related accidents, injuries, and illnesses.

<< DEFINITIONS >>

1. **Accident** - any unplanned event that results in injury or ill health, or damage or loss to property, materials, or the environment.
2. **Automated External Defibrillator (AED)** - a fully automated device designed to deliver an electric shock in an attempt to restore normal heart rhythm to persons who have suffered from cardiac arrest.
3. **Cardiopulmonary Resuscitation (CPR)** - a series of emergency steps given to people whose hearts have stopped pumping blood (a condition known as cardiac arrest). These steps include rescue breathing (i.e., mouth-to-mouth or mouth-to-mask resuscitation) and chest compressions to circulate oxygenated blood through the body to prevent death or brain damage due to lack of oxygen.



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4. **Exposure** - a work-related experience in which an employee is exposed to a chemical or physical agent, or an atmospheric, biological, or physical hazard. Exposure can occur via direct contact, ingestion, inhalation, or injection and may result in illness, injury, and/or death.
5. **First Aid** - the immediate care given to the injured or suddenly ill person. First aid does not take the place of proper medical treatment; it consists only of giving assistance until professional medical care, if needed, is obtained or until it is clear the person will recover without professional medical care.
6. **Illness** - a subjective state of feeling unwell as a result of an occupational injury or work-related exposure to environmental factors associated with employment.
7. **Injury** - any physical harm done to a person by the acts or omissions of self or another.
8. **Near-Miss** - any event or circumstance, which under slightly different circumstances, may have resulted in injury or ill health, or unexpected death, or damage or loss to property, materials, or the environment.

<<INFORMATION>>

In order to provide a safe and healthful environment, the DEQ has established a standard system for the notification and reporting of all accidents involving employee occupational injury or illness, public and/or private property damage, incidents involving CPR, the use of an AED, or near-miss accidents within the workplace. This reporting system will:

- Establish time frames for reporting accidents to expedite claim processing;
- Provide a mechanism for identifying accident trends, potential health and safety problems, unsafe work processes, or conditions that contributed to an accident, injury, or illness so appropriate action can be taken to prevent recurrence; and,
- Obtain the necessary information required by MIOSHA, the State of Michigan's third party program administrator for Worker's Compensation, or other applicable agencies.

The employee must inform the Occupational Health Facility/medical provider that the work-related accident, injury, or illness is a Workers' Compensation issue, and all bills and requests for payment must be submitted to:



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Department of Environmental Quality
c/o Department Health and Safety Officer/OHR
P.O. Box 30743
Lansing, MI 48909

Employee Accidents, Injuries, Illnesses, or Near-Miss Accidents

The DEQ has a responsibility to ensure the timely reporting and recording of all duty-incurred accidents, injuries, or illnesses. In accordance with MIOSHA, untimely reporting and recording can result in fines of up to \$1,000.00 per incident.

Any duty-incurred accident, injury, or illness resulting in a fatality and/or that involves three (3) or more employees being hospitalized MUST be reported to the MIOSHA Fatality Hotline at 800-858-0397 or the MIOSHA Complaint Hotline at 800-866-4674 within eight (8) hours.

Any employee who sustains a duty-incurred accident, injury, or illness is responsible for completing and forwarding the Accident, Injury, Illness, or Near-Miss Report to their immediate supervisor with a copy to the Department Health and Safety Officer/OHR within twenty-four (24) hours of the accident, injury, or illness. Likewise, any department-approved first responder or other responder, as defined by DEQ's AED Program, who utilizes their CPR and First Aid training or an AED in an effort to restore life, or any employee who experiences a near-miss accident must also complete the Accident, Injury, Illness, or Near-Miss Report. This form can be obtained from the supervisor, Division Health and Safety Coordinator, Department Health and Safety Officer/OHR, and is located on the DEQ templates (Word, File, New, General Templates, OHR, EQ1099). The form may be completed and submitted electronically or via facsimile to expedite this process. A hard copy of the completed report must be circulated to the Division, along with the Supervisor's Investigatory Report (EQ1099-1), for review and appropriate signatures (e.g. immediate supervisor, Unit/Section Supervisor, District Supervisor, Division Health and Safety Coordinator, and Division/Office Chief). The Accident, Injury, Illness or Near-Miss Report must identify what happened; when and where the incident occurred; the extent of the accident, injury, illness, or near-miss; names of any witnesses; name of the attending physician or medical facility; and provide all other information required by the form.



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If professional medical attention is required, that employee will be referred to an employer-approved medical facility for treatment during the first ten (10) days after the accident, injury, or illness occurs. Employees should call 9-1-1 (i.e., local fire, paramedics, police, etc.), their workplace emergency number, or proceed to the nearest emergency room for all life-threatening emergencies. After ten (10) days from the inception of medical treatment, the employee may be treated by a physician of their choice so long as they notify the Department Health and Safety Officer/Office of Human Resources (OHR) of their intent and provide applicable contact information (i.e., name, address, telephone number, etc.) for that physician.

Employees are required to notify their immediate supervisor of all follow-up medical appointments, and are to forward the Department Health and Safety Officer/OHR of any post-appointment documentation, work restrictions, etc.

As a best practice (and safeguard to ensure employees receive all entitled benefits under the State of Michigan's Workers' Compensation plan), the DEQ reports all duty-incurred accidents, injuries, or illnesses to the State of Michigan's Third Party Program Administrator (TPA) for Workers' Compensation. The TPA then reviews the incident, and if appropriate, processes benefit payments (i.e., lost wages, medical, and/or rehabilitation costs) if the incident is compensable as defined by the Michigan Workers' Disability Compensation Act.

Note: Near-misses are NOT reported to the TPA.

Administrative Leave may only be used to seek medical treatment during the day of the duty-incurred injury. All other time off to seek medical treatment should be recorded as Annual Leave, Sick Leave, or Family Medical Leave as appropriate.

For more information regarding vehicle-related accidents, Worker's Compensation, the claims process, and employee or employer responsibilities, refer to:

- DMB's Vehicle Services "In Case of an Accident,"
- How To File A Property Claim Against The State of Michigan,
- Michigan Workers' Disability Compensation Act of 1969,
- MIOSHA Standard Part 11: Recording and Reporting of Occupational Injuries and Illnesses,
- MIOSHA Standard Part 11: Recording and Reporting of Occupational Injuries and Illnesses - Clarification, and
- Division Health and Safety Coordinator.



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Visitor Accidents, Injuries, or Illnesses

All accidents and injuries sustained by a visitor must be immediately reported to the Facility Manager and obtain immediate first aid and/or medical assistance if necessary.

<< PROCEDURE >>

Employee

The employee is responsible for completing and forwarding the Accident, Injury, Illness, or Near-Miss Report to the immediate supervisor with a copy to the Department Health and Safety Officer/OHR within 24 hours of accident, injury, illness, or near-miss.

Immediate Supervisor

1. Receives notification of the duty-incurred accident, injury, or illness and ensures that the Department Health and Safety Officer/OHR is provided a copy of the Accident, Injury, Illness, or Near-Miss Report within the specified time lines. If an employee sustains a duty-incurred accident, injury, or illness that requires professional medical attention, the supervisor shall refer him/her to an employer-approved medical facility for treatment whenever possible.

NOTE: Contact the MIOSHA Fatality Hotline or the MIOSHA Complaint Hotline within eight (8) hours of any duty-incurred accident, injury, or illness resulting in a fatality and/or that involves three (3) or more employees being hospitalized. The supervisor will then contact the Department Health and Safety Officer/OHR (leave a message if not available).

MIOSHA Fatality Hotline
MIOSHA Complaint Hotline
DEQ Health and Safety Officer/OHR

800-858-0397
800-866-4674
517-373-7092 or 517-335-1100



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2. Completes the Supervisory Investigatory Report and forwards a copy to the Department Health and Safety Officer/OHR within forty-eight (48) hours of the incident. This may be done electronically or via facsimile to expedite the process. Original documents (i.e., Accident, Injury, Illness, or Near-Miss Report Supervisory Investigatory Report, etc.) are to be routed for review and signed by the appropriate field and/or division personnel. The completed forms are to be forwarded to the Department Health and Safety Officer/OHR. All official documents received by the division shall be forwarded to the Department Health and Safety Officer/OHR for safe keeping and reporting purposes.

NOTE: An employee's health condition is both personal and confidential. Medical information relating to an employee's health condition shall be handled in a confidential manner.

3. Except in unusual circumstances, supervisors are encouraged to maintain contact with an employee who is off work due to a duty-incurred accident, injury, or illness to determine the status of the employee's recovery and discuss return-to-work arrangements. The Department Health and Safety Officer/OHR shall be notified if the supervisor has reason to believe that the call to the employee would exacerbate the situation.
4. Reviews the Accident, Injury, Illness, or Near-Miss Report, completes and signs the Supervisory Investigatory Report; then forwards the reports to the Division Health and Safety Coordinator/OHR for signature.

Division Health and Safety Coordinator

1. Reviews the Accident, Injury, Illness, or Near-Miss Report and signs the Supervisory Investigatory Report; then forwards the report to the appropriate Division/Office Chief for final signature.



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2. Acts as the go-between for the Department Health and Safety Officer/OHR and the employee/supervisor for specific questions related to the accident, injury, or illness, and/or other applicable documentation.

Division Chief

Reviews the Accident, Injury, Illness, or Near-Miss Report and signs the Supervisory Investigatory Report; then forwards these reports to the Department Health and Safety Officer/OHR.

Department Health and Safety Officer/OHR

1. Reviews the Accident, Injury, Illness, or Near-Miss Report and Supervisory Investigatory Report for completeness/accuracy.
2. Follows up with the employee, supervisor, Division Health and Safety Coordinator, and/or Division Chief when reports are not received timely and/or completed appropriately.
3. Reports the duty-incurred accident, injury, or illness, via electronic submission, to Express Claim Form or by calling the TPA's Claim Reporting Hotline.
4. Reports any duty-incurred accident, injury, or illness resulting in a fatality and/or involves three (3) or more employees being hospitalized to the MIOSHA hotline within eight (8) hours at 800-866-4674 or the Fatality Hotline at 800-858-0397.
5. Upon completion of the reporting requirements, the Department Health and Safety Officer/OHR will forward all relevant documentation (i.e., Accident, Injury, Illness, or Near-Miss Report, Supervisory Investigatory Report, etc.) to the TPA's Claims Examiner, who processes and determines the status of the claim.
6. Provides written notification to the employee that his/her duty-incurred accident, injury or illness may be a qualifying event under the federal Family Medical Leave Act of 1993 (FMLA). Refer to DEQ 3.04, FMLA, for more information.



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7. Maintains/tracks all accident-related information (medical expenses, Workers' Compensation, Leave Of Absence/FMLA, etc.) via computer information system and/or incident files.
8. Maintains a record of duty-incurred accidents, injuries, or illnesses (OSHA 300 Log) and tracks Accident, Injury, Illness, or Near-Miss Reports via computer information system and/or incident files.
9. May be required to correspond with the Department of Attorney General's Workers' Compensation Division.
10. Provides updates to the immediate supervisor, Division Health and Safety Coordinator, Division Chief and/or designee as appropriate (i.e. need-to-know basis to ensure confidentiality).
11. Acts as the liaison between Department staff and the TPA.

Third Party Program Administrator for Workers' Compensation

1. TPA reviews the claim to determine if the incident falls under the Workers' Compensation statute and processes payment for wage loss and medical benefits.
2. If the claim is approved, appropriate DEQ personnel are notified and the claim is processed and monies are paid.
3. If the claim is denied, the employee may file a petition for hearing with the Michigan Department of Labor and Economic Growth.

Approved: _____

Date: 1-23-07

QUESTIONS: Contact DEQ, Office of Human Resources at 517-335-3421